

CITY COUNCIL  
ATLANTA, GEORGIA

A RESOLUTION

BY COUNCILMEMBER NATALYN MOSBY ARCHIBONG

02-R-1635

A RESOLUTION AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AND DELIVER TO FULTON COUNTY, GEORGIA AN ESTOPPEL LETTER CONCERNING THAT CERTAIN PROPERTY LOCATED AT 410 FLAT SHOALS ROAD, S.E. AND AN OUTSTANDING WATER SERVICES BILL INCURRED BY A TENANT OF THE PROPERTY IN ORDER TO FACILITATE A LAND SWAP WITH THE COUNTY AND THE CONSTRUCTION OF THE EAST ATLANTA LIBRARY; AND FOR OTHER PURPOSES.

**WHEREAS**, Jim Buzbee is the owner of a parcel of land (the "Church Property") known as 410 Flat Shoals Road, S.E. that is leased as a church; and

**WHEREAS**, the tenant of the Church Property has incurred an approximate \$11,000 water bill in connection with water services provided by the City to the Church Property; and

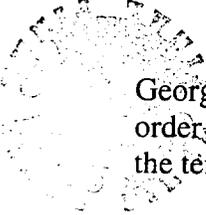
**WHEREAS**, Fulton County, Georgia (the "County") is the owner of another parcel of land (the "Swap Property") that it is willing to exchange for the Church Property in order to facilitate the construction of the East Atlanta Library at the corner of McPherson and Flat Shoals Road; and

**WHEREAS**, the County has expressed concern that the City will exercise certain rights it may have under Georgia law and the City's Code of Ordinances to place a lien on the Church Property in order to satisfy the \$11,000 water bill of the tenant; and

**WHEREAS**, the County has requested that the City issue to it, in order to facilitate the exchange of the Church Property for the Swap Property and alleviate the County's concerns, an estoppel letter pursuant to which the City agrees that it will not exercise against the Church Property any lien rights the City may have under Georgia law and the City's Code of Ordinances to satisfy payment of the outstanding water bill; and

**WHEREAS**, the City has determined that it is desirable and in its best interests to issue the estoppel letter to facilitate the exchange of the Church Property for the Swap Property and the construction of the East Atlanta Library;

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA**, that the Mayor, the Director of the Bureau of Purchasing and Real Estate or the Commissioner of the Department of Water, or any one of them, are authorized, on behalf of the City, to issue to Fulton County, Georgia an estoppel letter indicating that the City will not exercise any rights it may have under



Georgia law or the City's Code of Ordinances to place a lien upon the Church Property in order to satisfy payment of the outstanding approximately \$11,000 water bill incurred by the tenant of that property;

**BE IT FURTHER RESOLVED**, that the issuance of the estoppel letter to Fulton County, Georgia will not affect any other rights the City may have to directly seek collection of the outstanding water bill from the tenant of the Church Property;

**BE IT FURTHER RESOLVED**, that the estoppel letter will not be binding upon the City until it has been executed by the Mayor or her designee and delivered to Fulton County, Georgia.

A true copy,

*Phonda Daughin Johnson*  
Municipal Clerk, CMC

ADOPTED by the Council  
APPROVED by the Mayor

SEP 16, 2002  
SEP 24, 2002

RCS# 4029  
9/16/02  
5:50 PM

Atlanta City Council

Regular Session

02-R-1635

Estoppel Letter Re. Property at 410  
Flat Shoals Rd., SE Re. Land Swap  
ADOPT

YEAS: 11  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 3  
EXCUSED: 1  
ABSENT 1

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Starnes	Y Fauver	E Martin	B Norwood
Y Young	NV Shook	Y Maddox	Y Willis
Y Winslow	NV Muller	Y Boazman	NV Woolard

02-R-1635

02-R-1635

(Do Not Write Above This Line)

A RESOLUTION BY COUNCILMEMBER NATALYN MOSFY ARCHIBONG

AUTHORIZING THE MAYOR OR HER DESIGNEE TO EXECUTE AND DELIVER TO FULTON COUNTY, GEORGIA AN ESTOPPEL LETTER CONCERNING THAT CERTAIN PROPERTY LOCATED AT 410 FLAT SHOALS ROAD, SE AND AN OUTSTANDING WATER SERVICES BILL INCURRED BY A TENANT OF THE PROPERTY IN ORDER TO FACILITATE A LAND SWAP WITH THE COUNTY AND THE CONSTRUCTION OF THE EAST ATLANTA LIBRARY; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 16 2002

Adopted 9/16/02

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
 Date \_\_\_\_\_  
 Chair \_\_\_\_\_  
 Referred to \_\_\_\_\_

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

2nd  1st & 2nd  3rd

Readings

Consent  V Vote  RC Vote

CERTIFIED

CERTIFIED  
SEP 16 2002

MAYOR'S COUNCIL PRESIDENT

*Natalyn Mosfy Archibong*

CERTIFIED  
SEP 16 2002

*Paul Douglas Johnson*

MAYOR'S ACTION

CERTIFIED  
*Shirley Franklin*  
SEP 16 2002  
MAYOR